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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/694,481	10/27/2003	Abhinand Lath	1042-004	4268
25215	7590	06/05/2006	EXAMINER	
DOBRUSIN & THENNISCH PC			LEE, GUIYOUNG	
29 W LAWRENCE ST			ART UNIT	
SUITE 210			PAPER NUMBER	
PONTIAC, MI 48326			2875	

DATE MAILED: 06/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/694,481

Applicant(s)

LATH, ABHINAND

Examiner

Guiyoung Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 23-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 23-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Prelim./Amdt.

1. Receipt is acknowledged of the amendment filed 03/03/2006.
2. Claims 23-44 are pending, and claims 1-22 are cancelled.

Response to Arguments

3. Applicant's arguments with respect to claims 23-44 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 23-28, 30-32, and 36, 38-44 are rejected under 35 U.S.C. 102(b) as being anticipated by Doneen et al. (US 4,906,837) cited by applicant.

Re claims 23-27, 32, and 36: Doneen discloses a motion detector having a substrate (52 in Fig. 2) having a plurality of light pipes (54, 56, 58, 72, 74, 76, and 78 in Fig. 2), wherein each light pipe is transmitting light from a first location to a second location (col. 4, line 56 +). Further, Doneen discloses the light pipe is transmitting light from a plurality of locations to a single location, from a single location to a plurality of locations (See the splitter junctions 73, 75 and 77 of the light pipes in Fig. 2). Doneen does not disclose the light pipe is extended from a first location on the first surface to a second location on the first surface. However, one skilled in the art knows that

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the optical fiber is flexible enough so that it can be extended to any locations in the substrate, and it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Doneen's light pipe to extend from a first location on the first surface to a second location on the first surface in order to convey light reflected from a moving abject to the desired location.

Re claim 28: Doneen discloses the light pipe and the substrate are the same material and wherein the light pipes are separated from the substrate along at least a portion of their length by a refractive index boundary (col. 4, lines 5-22).

Re claims 30-31: Doneen discloses a LED light source (150).

Re claims 38-44: Doneen's teachings have been discussed above. Further, Doneen discloses a method of making an article of manufacture by creating a refractive index boundary between the pipe and the substrate and a method of transmitting information through a plurality of light pipes in a substrate as discussed above. Further, Doneen discloses a step of interfering with the transmission of light through the light pipe before the light arrives at the second location a plurality of lenses is interfering the transmission of light (col. 5, lines 1-13).

6. Claims 29, 33-34, and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Doneen as applied to claim 23 above, and further in view of Stanford (US 6,082,886).

Re claims 29, 33-34, and 37: Stanford discloses a plurality of light pipe imbedded in the concrete substrate (20 in Fig. 3) so that there is a refractive index boundary between the light pipes and the concrete substrate. Further, Stanford discloses an external, visible light source (22), wherein light inputted into a first end of the light pipe is guided along the light pipe and emitted

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at the second end of the light pipe. Furthermore, Stanford teaches a method of making the article by embedded the light pipe in an uncured concrete substrate (col. 4, lines 5-39). Although Doneen does not teach the substrate is concrete, Stanford shows that a plurality of light pipe is embedded in the concrete substrate. It would have been obvious to one having ordinary skill in the art at the time the invention was made to embed Doneen's light pipe in a concrete substrate as taught by Stanford in order to apply Doneen's motion detector in a concrete floor.

7. Claims 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Doneen as applied to claim 32 above, and further in view of Nicholls et al. (US 6,672,749 B2).

Re claim 35: Doneen does not disclose a woven fabric or a non-woven fabric as a substrate.

Nicholls teaches an optically marked surface having a light pipe (20) imbedded in a woven fabric (32). It would have been obvious to one having ordinary skill in the art at the time the invention was made to embed Doneen's light pipe in a woven fabric as taught by Nicholls in order to apply Doneen's motion detector in a woven fabric surface.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Guiyoung Lee whose telephone number is 571-272-2374. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 571-272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LGY



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